

**UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT OPERATIONS****RECEIVED  
CENTRAL FAX CENTER****JUL 31 2006**

In re Application of:

James M. Tranquilla

Confirmation No.: 5372

Appln. No.: 10/695,589

Group Art Unit: 1742

Filed: October 28, 2003

Examiner: Kathleen A. McNelis

Title: METHOD OF REMOVING MERCURY  
ASH FROM MERCURY  
CONTAMINATED MATERIALSAtty. Docket No. 118300.00008  
Customer ID 25207**RESPONSE AND AMENDMENT**

July 31, 2006

Commissioner of Patents  
PO Box 1450  
Alexandria VA 22313-1450

Sir:

The following is being submitted in response to the Office Action dated January 31, 2006 from Examiner Kathleen A. McNelis of Art Unit 1742.

Status begins on page 2.

Summary of Fees Submitted Herewith begins on Page 3.

Claims Amendments begin on page 4.

Remarks begin on page 11.

08/01/2006 MBINAS 00000053 501429 10695589  
02 FC:2202 75.00 DA  
03 FC:2201 200.00 DA

1033658

Application No. 10/695,589  
Amendment Dated July 31, 2006  
Reply to Office Action Dated January 31, 2006

**STATUS**

The above-captioned patent application is pending.

Claims 9-11 are objected to under 37 CFR 1.75(c) as being in improper form.

Claims 31 and 32 have been objected to as containing a typographical error.

Claims 1, 3, 5, 7, 12-21, 24-28, 31, 32 and 34 have been rejected to under 35 U.S.C. 103(a) as being unpatentable over Herden et al (5,659,110) in view of Doelling (4,967,486).

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**SUMMARY OF USPTO FEES ENCLOSED HERewith**

**1. Extension of Time**

A separate petition for an extension of time of three (3) months up to and including July 31, 2006, to respond to the outstanding Office Action, along with the appropriate fee for a small entity of \$510, is enclosed herewith.

**2. No Excess Claims Fees**

Claims fees for thirty-four (34) total claims and five (5) independent claims have been submitted. This response and amendment results in thirty-seven (37) total claims and seven (7) independent claims. As such, the Commissioner for Patents is hereby authorized to charge Deposit Account No. 50-1429 in the amount of \$75 for claims in excess of 20 and \$200 for independent claims in excess of 3. It is believed these fees are correct; however, the Commissioner for Patents is authorized to charge any additional fees to Deposit Account No. 50-1429.